

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

HAROLD SHEPARD

PLAINTIFF

v.

CIVIL ACTION NO. 2:22-cv-73-TBM-RPM

**US MARSHAL SERVICE AND
TASK FORCE**

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the submission of the Report and Recommendation [49] entered by United States Magistrate Judge Robert P. Myers on August 5, 2024. Judge Myers recommends granting the Defendant's Motion to Dismiss [45] and dismissing Plaintiff Harold Shepard's claims without prejudice for lack of subject matter jurisdiction. Shepard has not filed an objection to the Report and Recommendation, and the time for filing an objection has expired.¹


"When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." FED. R. CIV. P. 72(b) advisory committee's note to 1983 addition (citations omitted); see *Casas v. Aduddell*, 404 F. App'x 879, 881 (5th Cir. 2010) ("When a party fails timely to file written objections to the magistrate judge's proposed findings, conclusions, and recommendation, that party is barred from attacking on appeal the unobjected-to proposed findings and conclusions which the district court accepted, except for plain error") (citing *Douglass v. United Serv. Auto Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc); 28 U.S.C. § 636(b)(1)). Having considered Judge Myers' Report and Recommendation, the Court finds that it is neither clearly erroneous nor contrary to law.

¹ A copy of the Report and Recommendation [22] was mailed to Shepard at the address listed on the docket on August 5, 2024.

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and Recommendation [49] entered by United States Magistrate Judge Robert P. Myers on August 5, 2024, is ADOPTED as the opinion of the Court.

IT IS FURTHER ORDERED AND ADJUDGED that the claims asserted in Harold Shepard's Complaint [1] are DISMISSED without prejudice for lack of subject matter jurisdiction.

THIS, the 26th day of August, 2024.



TAYLOR B. McNEEL
UNITED STATES DISTRICT JUDGE